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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,501	09/29/2003	Yutaka Endo	0965-0415P	8491
2292	7590	08/25/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			NGUYEN, ANTHONY H	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/671,501

Applicant(s)

ENDO, YUTAKA

Examiner

Anthony H Nguyen

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 16-19 is/are rejected.
- 7) ☒ Claim(s) 12-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/4/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Objections

Claims 4,9,17 and 18 are objected to because the language “to control drive of the pump” (claim 4 line 3) is unclear. It appears that one of the “control” or “drive” should be deleted. Additionally, there is no proper antecedent basis for “the precedence ink removing means” (claim 9 line 2 and claim 17 line 5). Appropriate correction is required.

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,2,5-11 and 16-18 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Giori (US 4,516,496) in view of Schaede (US 5,222,432).

With respect to claims 1 and 5, Giori teaches an intaglio printing press having a plate cylinder 1, an ink supplying roller 7, at least one inking unit 8, an ink removing unit 6 and a pre-wiping device 5 which is provided upstream of the ink removing unit and downstream of the inking unit. Giori does not clearly show the pre-wiping device which returns the removed ink to the inking unit. Schaede teaches a pre-wiping device 2 - 4 that returns the removed ink to the ink container or an inking unit (Schaede, col.3 lines 46-48). In view of the teaching of Schaede, it would have been obvious to one of ordinary skill in the art to modify the printing press of Giori by providing the pre-wiping device or the ink recycling unit as taught by Schaede for

optimum cleaning effects on the surface of a plate cylinder. With respect to claim 2, Giori teaches the precedence ink removing means 5 as shown in the Figure of Giori. With respect to claim 9, the Figure of Giori shows the pre-wiping pattern roller 5 which appears to have the same diameter with the ink supply pattern roller 7.

With respect to claims 6-8, 10 and 11 Giori teaches all that is claimed, except the ink scraping means or the ink scraping blade and a recovery blade. Schaede teaches a wiping device having an ink scraping means 4 (Fig. 1) which scrapes the ink on the ink transfer roller 3 and a recovery blade 8 which recovers the ink on the scraping blade. In view of the teaching of Schaede, it would have been obvious to one of ordinary skill in the art to modify the printing press of Giori by providing the scraping means and the recovery blade as taught by Schaede to improve the efficiency of removing ink from an ink transfer roller.

Claims 3 and 4 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Giori in view of Schaede as applied to claims 1, 2, 5-11 and 16-18 above, and further in view of Dillig et al. (US 6,024,015).

With respect to claim 3, Giori and Schaede teaches all that is claimed, except the pump and a pipe which supply ink to the inking unit. Dillig et al. teaches the conventional use of a pump 11 and a pipe 12 that supply ink to the ink supply device 2 as shown in Fig. 1 of Dillig et al. In view of the teaching of Dillig et al., it would have been obvious to one of ordinary skill in the art to modify the printing press of Giori and Schaede by providing an ink supply pump that supplies ink to an inking unit via the pipe as taught by Dillig et al. for more reliable providing the ink to an inking unit in a printing press. With respect to claim 4, Fig. 5 of Dillig et al. shows the ink amount detecting means 24 which monitors an amount of the ink in the inking unit 21.

Claims 19 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Giori in view of Schaede as applied to claims 1-11 and 16-18 above, and further in view of Motokawa (US 4,119,836).

Giori and Schaede teach all that is claimed, except the heating means which is used to heat the scraping means. Motokawa teaches a heating means 8 which heats a scraping means 8 as shown in Fig.5 of Motokawa. In view of the teaching of Motokawa, it would have been obvious to one of ordinary skill in the art to modify the scraping means of Schaede by providing the heating means as taught by Motokawa for maintaining a flow rate of the return ink.

Allowable Subject Matter

As presently advised it appears that claims 12-15 avoids the prior art but are objected to as depending from a rejected claim. These claims if properly rewritten in independent form would be allowable because the prior art of record does not teach a cutter provided upstream of the recovery blade in a direction of the ink flow, and the cutter blocks a flow of ink scraped by the scraping means.

Conclusion

The patents to Olawsky, Stapleton, Jentzsch et al., and Ichikawa et al. are cited to show other structures having obvious similarities to the claimed structure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Nguyen whose telephone number is (571) 272-2169. The examiner can normally be reached daily from 9 AM to 5PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld, can be reached on (571) 272-2168. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

A handwritten signature in black ink, appearing to read "Anthony Nguyen". The signature is fluid and cursive, with the first name "Anthony" written in a larger, more prominent script than the last name "Nguyen".

Anthony Nguyen

8/20/04

Patent Examiner

Technology Center 2800